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7 UNITED STATES DISTRICT COURT  
8 CENTRAL DISTRICT OF CALIFORNIA  
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10 ROBERTO EDGAR TORRES, )Case No. CV 17-0423-DSF (JPR)  
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12 )Petitioner, )  
13 )  
14 )v. )ORDER ACCEPTING FINDINGS AND  
15 )RECOMMENDATIONS OF U.S.  
16 )MAGISTRATE JUDGE  
17 )  
18 )WILLIAM SULLIVAN, Warden, )  
19 )  
20 )Respondent. )  
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16 Pursuant to 28 U.S.C. § 636, the Court has reviewed de novo  
17 the Petition, records on file, and Report and Recommendation of  
18 U.S. Magistrate Judge. On June 19, 2017, Petitioner filed  
19 Objections, in which he simply restates his argument that he is  
20 entitled to an alternative start date of the statute of  
21 limitation because he was "misled" by medical-expert testimony at  
22 trial, an argument that was specifically addressed and rejected  
23 in the R. & R. (See R. & R. at 11-12.) Petitioner also submits  
24 documents to establish, apparently, that he did not receive his  
25 legal file until shortly after October 30, 2015, he had  
26 "financial difficulty" and mail problems during the limitation  
27 period, and he tried to hire an attorney. (See Objs. at 3; id.  
28 Exs. A-D.) But the Court assumed those facts and nonetheless

1 rejected the argument that his untimeliness should be excused  
2 based on his indigency or lack of access to his legal file (see  
3 R. & R. at 15-17).

4 Having reviewed de novo those portions of the R. & R. to  
5 which objections were filed, the Court accepts the findings and  
6 recommendations of the Magistrate Judge.

7 IT THEREFORE IS ORDERED that the Petition is denied as  
8 untimely, Petitioner's request for an evidentiary hearing is  
9 denied, and Judgment be entered dismissing this action with  
10 prejudice.

11  
12 7/7/17

13 DATED: \_\_\_\_\_



\_\_\_\_\_  
DALE S. FISCHER  
U.S. DISTRICT JUDGE